

The 24th November, 1986

No.9/6/86-6Lab./9394.—In pursuance of the provision of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of M/s (i) P. K. Sagar Contractor Bailing Saw Mills, Ballarpur Industries Ltd, Unit Shri Gopal, Yamuna Nagar. (ii) Vidyadhar Mishar and Shanker Tiwari Contractor, Bailing Board, Saw Mills, Ballarpur Industries Ltd., Unit Shree Gopal Yamuna Nagar.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 371 of 1984

(Old No. 287 of 1983)

(Mixe No. 29 of 1986)

SHRI RAM CHAND, WORKMAN C/O SHRI BALBIR SINGH, 126, LABOUR COLONY,
YAMUNA NAGAR AND THE MANAGEMENT OF THE MESSRS P.K. SAGAR
CONTRACTOR BAILING BOARD SAW MILLS, BALLARPUR INDUSTRIES,
LTD., UNIT SHRI GOPAL YAMUNA NAGAR (ii) VIDYADHAR
MISHAR AND SHANKAR TIWARI CONTRACTOR, BAILING
BOARD SAW MILLS BALLARPUR INDUSTRIES LTD,
UNIT SHRI GOPAL, YAMUNA NAGAR

Present.—

None, for workman.

Shri Surinder Sharma, for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—*vide* clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred dispute between Shri Mam Chand and Messrs P. K. SAGAR etc., to this Court. The terms of the reference are as under:—

“Whether termination of services of Shri Mam Chand, was justified and in order, if not, to what relief is he entitled?”

Workman alleged that he was in the employment of Respondent-Management, his services were terminated in violation of section 25 (F) of the Industrial Disputes Act, 1947. He further prayed that he be got reinstated with continuity in service and with full back wages.

Notices were served upon the respondents. Respondent No. 1 was given up. Respondent No. 2 contested the claim of the workman contending that workman is not entitled to relief claimed for. It was also contended that respondent firm does not exist. So workman has no right of relief against the firm which does not exist.

On the pleadings of the parties, the following issues were framed :

Issues

1. Whether termination of services of workman is unjust and illegal, if so, its effect?
2. Whether respondent's firm does not exist, if so, its effect?
3. Relief.

The reference was posted for workman evidence. But today neither workman nor his A.R. appeared. Shri Balbir Singh despatched one Anil Kumar to represent him. But Shri S. Sharma pointed out that either workman should have come in person or Shri Balbir Singh and Shri Anil Kumar must have been authorised by the workman to appear in court and contest his case. There is no authority letter in favour of, Shri Balbir Singh, so he also cannot represent the claim of the workman. Nor he can authorise Shri Anil Kumar to appear on his behalf and on behalf of workman.

Keeping in view of the above prayer of Shri S. Sharma I have no other alternative but to dismiss the case. Accordingly the reference is dismissed in default.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Dated the 17th September, 1986.

Endst. No. 2390 dated 19th September, 1986.

Forwarded (Four Copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V.P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/6/86-6 Lab./9396.—In pursuance of the provision of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of M/s (i) P. K. Sagar Contractor Bailing Saw Mills Ballarpur Industries Ltd., Unit Shree Gopal, Yamuna Nagar (ii) Vidyadhar Mishar and Shankar Tiwari Contractor, Bailing Board, Saw Mills, Ballarpur Industries Ltd., Unit Shree Gopal, Yamuna Nagar.

IN THE COURT OF SHRI V.P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, AMBALA

Reference No. 362 of 1984.

(Old No. 285 of 1983)

Mixe. No. 27 of 1986

SHRI MANDERKA WORKMAN C/O SHRI BALBIR SINGH 126 LABOUR COLONY, YAMUNA NAGAR AND THE MANAGEMENT OF THE MESSRS P. K. SAGAR CONTRACTOR BAILING BOARD SAW MILLS BALLARPUR INDUSTRIES LTD., UNIT SHREE GOPAL YAMUNA NAGAR. (ii) VIDYADHAR MISHAR AND SHANKAR TIWARI CONTRACTOR, BAILING BOARD SAW MILLS BALLARPUR INDUSTRIES LTD., UNIT SHREE GOPAL YAMUNA NAGAR

Present:—

None for workman.

Shri Surinder Sharma for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (C) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred dispute between Shri Manderka and Messrs P. K. Sagar etc. to this Court. The terms of the reference are as under:—

“Whether termination of services of Shri Manderka, was justified and in order, if not, to what relief is he entitled?”

Workman alleged that he was in the employment of the Respondent Management, his services were terminated in violation of section 25(F) of Industrial Disputes Act, 1947. He further prayed that he be got reinstated with continuity in service and with full back wages.

Notices were served upon the respondents. Respondent No. 1 was given up. Respondent No. 2 contested the claim of the workman contending that workman is not entitled to relief claimed for. It was also contended that respondent firm does not exist. So workman has no right of relief against the firm which does not exist.

On the pleadings of the parties the following issues were framed:—

Issues:

1. Whether termination of services of workman is unjust and illegal, if so, its effect ?
2. Whether respondent's firm does not exist, if so, its effect ?
3. Relief.

The reference was posted for workman evidence. But today neither workman nor his A. R. appeared. Shri Balbir Singh despatched one Anil Kumar to represent him. But Shri S. Sharma pointed out that either workman should have come in person or Shri Balbir Singh and Anil Kumar must have been authorised by the workman to appear in court and contest his case. There is no authority letter, in favour of, Shri Balbir Singh. So he also cannot represent the claim of the workman. Nor he can authorise Shri Anil Kumar to appear on his behalf and on behalf of workman.

Keeping in view of the above prayer of Shri S. Sharma, I have no other alternative but to dismiss the case. Accordingly the reference is dismissed in default.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Dated 17th September, 1986.

Endst. No. 2393, Dated 19th September, 1986.

Forwarded (Four Copies), to the Financial Commissioner & Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/6/86-Lab/9400.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s. (i) P. K. Sagar Contractor Bailing Saw Mills Ballarpur Industries Ltd. Unit Shree Gopal, Yamuna Nagar (ii) Vidyadhar Mishar and Shanker Tiwari Contractor, Bailing Board, Saw Mills Ballarpur Industries Ltd., Unit Shree Gopal Yamuna Nagar.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 369 of 1984

Old No. 289 of 1983

Mise. No. 22 of 1986.

between

SHRI RAM BHUJARAT WORKMAN C/O SHRI BALBIR SINGH, 126 LABOUR COLONY
YAMUNA NAGAR AND THE MANAGEMENT OF THE M/S. P. K. SAGAR, CONTRACTOR
BAILING BOARD, SAW MILLS BALLARPUR INDUSTRIES LTD., UNIT SHREE GOPAL
YAMUNA NAGAR, (II) VIDYADHAR MISHAR AND THE SHANKER TIWARI CONTRACTOR
BAILING BOARD, SAW MILLS BALLARPUR INDUSTRIES LTD. UNIT SHREE GOPAL
YAMUNA NAGAR.

Present :

None, for workman.

Shri Surinder Sharma, for respondent.

AWARD

The Hon'ble Governor of Haryana, in the exercise of powers conferred,—vide clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred dispute between Shri Ram Bhujarat and M/s. P. K. Sagar etc. to this Court. The terms of the reference are as under:—

“Whether termination of services of Shri Ram Bhujarat was justified and in order? If not, to what relief is he entitled?”

Workman alleged that he was in the employment of Respondent-management. His services were terminated in violation of section 25 (F) of Industrial Disputes Act, 1947. He further prayed that he be got reinstated with continuity in service and with full back wages.

Notices were served upon the Respondents. Respondent No. 1 was given up. Respondent No. 2 contested the claim of the workman contending that workman is not entitled to relief claimed for. It was also contended that respondent firm does not exist. So workman has no right of relief against the firm which does not exist.

On the pleadings of the parties the following issues were framed:

ISSUES

1. Whether termination of services of workman is unjust and illegal if so its effect?
2. Whether respondents' firm does not exist. if so its effect?
3. Relief.

This reference was posted for workman evidence. But today neither workman nor his A. R. appeared. Shri Balbir Singh despatched one Anil Kumar to represent him. But Shri S. Sharma pointed out that either workman should have come in person or Shri Balbir Singh and Shri Anil Kumar must have been authorised by the workman to appear in court and contest his case. There is no authority letter, in favour of Shri Balbir Singh, so he also cannot represent the claim of the workman. Nor he can authorise Shri Anil Kumar to appear on his behalf and on behalf of workman.

Keeping in view of the above prayer of Shri S. Sharma I have no other alternative but to dismiss the case. Accordingly to the reference is dismissed in default.

Dated the 17th September, 1986.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 2389, dated the 19th September, 1986.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/6/86-6Lab./9401.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of M/s P. K. Sagar, Contractor Bailing Saw Mills Ballarpur Industries Ltd., Unit Shree Gopal, Yamuna Nagar : (ii) Vidyadhar Mishar and Shanker Tiwari, Contractor, Bailing Board, Saw Mills, Ballarpur Industries Ltd., Unit Shree Gopal Yamuna Nagar.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Ref. No. 364 of 1984

(Old No 294 of 1983)

SHRI RAM DASS C/O SHRI BALBIR SINGH, 126, LABOUR COLONY, YAMUNA NAGAR,
AND THE MANAGEMENT OF THE MESSRS (i) P. K. SAGAR, CONTRACTOR, BAILING
SAW MILLS BALLARPUR INDUSTRIES LTD., UNIT SHREE GOPAL, YAMUNA
NAGAR ; (II) VIDYADHAR MISHAR AND SHANKER TIWARI, CONTRACTOR
BAILING BOARD, SAW MILLS, BALLARPUR INDUSTRIES LTD., UNIT
SHREE GOPAL YAMUNA NAGAR

Present :

None, for workman.

Shri Surinder Sharma, for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause C of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred dispute between Shri Ram Dass and Messrs P. K. Sagar etc., to this Court. The terms of the reference are as under :—

Whether termination of services of Shri Ram Dass, was justified and in order, if not to what relief is he entitled?

Workman alleged that he was in the employment of respondent-management, His services were terminated in violation of section 25 (F) of Industrial Disputes Act, 1947. He further prayed that he be got reinstated with continuity in service and with full back wages.

Notices were served upon the Respondents. Respondent No. 1 was given up. Respondent No. 2 contested the claim of the workman contending that workman is not entitled to relief claimed for. It was also contended that respondent firm does not exist. So workman has no right of relief against the firm which does not exist.

On the pleadings of the parties the following issues were framed:

Issues

1. Whether termination of services of workman is unjust and illegal, if so its effect?
2. Whether respondent's firm does not exist, if so its effect ?
3. Relief.

The case was posted for workman evidence. But today neither workman nor his A. R. appeared. Shri Balbir Singh despatched one Anil Kumar to represent him. But Shri S. Sharma pointed out that either workman should have come in person or Shri Balbir Singh and Shri Anil Kumar must have been authorised by the workman to appear in court and contest his case. There is no authority letter in favour of, Shri Balbir Singh, so he also cannot represent the claim of the workman. Nor he can authorise Shri Anil Kumar to appear on his behalf and on behalf of workman.

Keeping in view of the above prayer of Shri S. Sharma I have no other alternative but to dismiss the case. Accordingly to the reference is dismissed in default.

Dated the 17th September, 1986.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 2385, dated 19th September, 1986.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the I.D. Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

KULWANT SINGH,
Secretary to Government, Haryana,
Labour and Employment Department.